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| TRANSMITTAL FORM  |  | Application Number  |  | 09/385,802   |                |
|---|--|---|--|--|----------------|
| (to be used for all correspondence after initial filing)  |  | Filing Date   |  | August 30, 1999  |                |
|   |  | First Named Inventor  |  | Donovan  |                |
|   |  | Art Unit  |  | 2153   |                |
|   |  | Examiner Name   |  | Flynn  |                |
|   |  | Attorney Docket Number  |  | 15719US00  |                |
| Total Number of Pages in This Submission  |  | 12  |  |  |                |
| ENCLOSURES (check all that apply)   |  |   |  |  |                |
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input checked="" type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |  | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD |  | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Return-Receipt Postcard<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |                |
|   |  | Remarks   |  | Declaration Under 37 CFR 1.131 and Exhibits A and B  |                |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  |  |   |  |  |                |
| Firm or Individual Name   |  | McAndrews Held & Malloy, Ltd.   |  |  |                |
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| Signature   |  |   |  |  | Date: 11/15/04 |
| EXPRESS MAIL DEPOSIT  |  |   |  |  |                |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Docket No. 15719US00)

|   |                                  |
|---|----------------------------------|
| PATENT APPLICATION OF:                  | ) <u><b>EXPRESS MAIL NO.</b></u> |
|   | ) <b>EV 436 263 897 US</b>       |
| Donovan                                 | )                                |
|   | ) <b>Date: November 15, 2004</b> |
| SERIAL NO.: 09/385,802                  | )                                |
|   | )                                |
| FILED: August 30, 1999                  | )                                |
|   | )                                |
| FOR: Universal Instant Messaging System | )                                |
| for the Internet                        | )                                |
|   | )                                |
| Art Unit: 2153                          | )                                |
|   | )                                |
| Examiner: Flynn, Kimberly D.            | )                                |
|   | )                                |
| Confirmation No.: 9671                  | )                                |

**AMENDMENT UNDER 37 C.F.R § 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner Flynn:

This Paper responds to the final Office Action mailed on October 22, 2004. Applicant respectfully submits that the claims pending after this amendment define patentable subject matter, as discussed below.